

PROVO RIVER DISTRIBUTION SYSTEM
MINUTES OF MEETING HELD
February 7, 1992

Pursuant to the Notice from the office of the State Engineer, a meeting of the Board of Directors of the Provo River Distribution System and representatives of the Division of Water Rights convened at 10:00 a. m. in the Utah County Court House, 51 South University Ave., Room L-700, Provo, Utah 84601.

District Engineer Jim Riley presided.

On roll call, the following were present:

J. Edwin Ure, Chairman	Group 1 Kamas Valley Canals
Sherman A. Giles	Group 2 Upper Provo, East Heber Valley
Harvey Van Wagoner, Vice-Chair.	Group 3 Upper Provo, West Heber Valley
Carl H. Carpenter	Group 4 Provo City Canals
Vacant	Group 5 East Provo Canals
Jack Jones	Group 6 Provo Bench Canals
Russell O. Brown	Group 7 Provo Reservoir Water Users Company
Jack M. Gardner, Sec.- Treas.	Group 8 Provo River Water Users Association
Ferrell Knight	Group 9 Upper Provo Individual Rights

Present for State Engineer's Office were:

Jim Riley	District Eng.-Division of
John S. Larson	Water Rights Determination of Water Rights

Also present were:

Ernie F. Giles	Deputy Comm. Trainee
Stanley H. Roberts, Jr.	Provo River Commissioner
Daryl Devey	Central Utah Water Conser-
Richard Tullis	vancy District

Jeff Bryant	Salt Lake County Water
	Conservancy District
Harley M. Gillman	Provo Reservoir Water Users
	Company
Richard D. Poulson	Provo River Water Users
	Association
Merrill L. Bingham	Provo City

Mr. Riley opened the meeting and inquired if there were any changes in directors, and was advised that Jack Jones replaced Kenneth R. Gillman (deceased), Group 6 Provo Bench Canals and that the vacancy left by the death of Stanley Roberts Sr. representing Group 5, East Provo Canals, had not been filled.

Mr. Riley then turned the meeting over to Chairman Ure. Following the agenda prepared by the Provo River Distribution System the following business was transacted.

CORRECTION, ADOPTION OF MINUTES OF SPECIAL MEETING, JANUARY 10, 1991.

It was noted that the minutes had been published and the reading of the minutes had been waived.

Thereupon there being no corrections, Director Giles moved that the minutes be adopted, seconded by Director Knight and carried unanimously.

ELECTION OF OFFICERS

Chairman Ure advised that the next order of business was to nominate and elect officers for the ensuing year.

Whereupon Director Giles moved that the rules be suspended and by acclamation the present officers be reelected, seconded by Director Knight, and carried unanimously.

FINANCIAL REPORT OF 1991 AND DELINQUENT ACCOUNTS:

Mr. Riley then presented the 1991 Financial Report and delinquent accounts as prepared by the State Engineer. The Financial Report is attached hereto and made a part of these minutes.

Mr. Riley noted that the 1991 budget was actually \$69,000 including the voluntary donations of \$6,000 donated

by the Central Utah Water Conservancy District and \$2,000 by PRWUCO. These donations to be distributed by the State Engineers Office and paid to the River Commissioners as salary, fringe benefits, expenses, etc., for extra work in distributing the CUP Bonneville Unit water made available as storage in Deer Creek Reservoir by the Deer Creek/Strawberry exchange and for distributing water to the SLCWCD under the Welby-Jacob Exchange. The actual amount expended was \$64,263.84 and total receipts were \$61,835.85.

The total budget and assessment for 1991 was \$69,000. The assessments were, \$59,000-Provo River Distribution System and \$2,000-Trust Fund, \$6,000 CUWCD and \$2,000 PRWUCO. The Trust Fund balance January 1, 1991 was \$7,317.38, total receipts \$61,835.85 and expenditures of \$64,263.84 leaving the Trust Fund balance December 31, 1991 at \$4,889.39.

The discrepancy of why the total assessment was \$69,000, yet there was only total receipts of \$61,835.85 was not explained. This resulted in a large decrease in the Trust Fund balance as of December 31, 1991. President Ure requested that the Provo River Distribution System assessed funds be handled in a separate account to be able to determine the interest component and Trust Fund balance of the Provo River Distribution System.

Secretary Gardner advised that the donations made by CUWCD and PRWUCO was a matter between them and Commissioner Roberts and has nothing to do with the PRDS assessments or otherwise, that PRDS assessments are made in accordance with the Provo River Decree (case 2888), and that neither CUWCD or PRWUCO officially have representation in the PRDS.

Director Carpenter moved that the 1991 Financial Statement, subject to clarification of the above stated deficiencies, be accepted for filing. The motion was seconded by Director Knight and carried unanimously.

The 1991 Financial Statement prepared by the State Engineer is attached hereto and made a part of these minutes.

It was noted that the delinquent water assessments total \$1,534.79. Two accounts No. 22 in the amount of \$281.84 and account No. 148 in the amount of \$199.54 (total \$481.38) account for about one-third of the delinquency and are each four years old. It was the consensus of the Board that the State Engineer should bring action to collect these and other accounts more than two years old. It was further noted that several of the accounts relate to water rights the USBR has acquired with the lands for the Jordanelle Reservoir site. The USBR is to be contacted regarding the payment of the delinquencies.

COMMISSIONER & DEPUTY COMMISSIONER'S REPORT

Commissioner Roberts noted that 1991 was his 20th year as Provo River Water Commissioner and that in the past several years several changes have taken place that has affected

the distribution of water on the Provo River. One was the Memorandum of Understanding (MOU) relating to maintaining 100 c.f.s. in the Provo River between Deer Creek Dam and the Olmsted Diversion Dam. That 90 c.f.s. is released into the Provo River at Deer Creek Dam and about 10 c.f.s. is contributed by Deer Creek. Under the MOU, during the non-irrigating season, Salt Lake Metropolitan Water District ("SLMWD") agreed that it would release 30 c.f.s. that would be diverted at the Olmsted Diversion Dam and pump it back into the Salt Lake Aqueduct by the transfer pumps. Orem City agreed that they would divert 2 c.f.s. to be treated at the Orem treatment plant along with about 8 c.f.s. of Ontario Drain Tunnel water and Salt Lake County Water Conservancy District was to take 20 c.f.s from water purchased by Central Utah Water Conservancy District ("CUWCD") and any remaining water that would go to Utah Lake to come from the 20,000 ac. ft. of Deer Creek exchange water.

The Olmsted Power Plant is now back in operation under an agreement between Utah Power & Light, United States Bureau of Reclamation and CUWCD and power water has to be accounted for.

Trial Lake is operational and a measuring station needs to be installed.

Deer Creek Reservoir filled May 22, 1991 and spilled to June 24, 1991, during which time extra allotment water was delivered to Deer Creek Project stockholders.

The Provo River was at 50% distribution most of the year.

Commissioner Roberts expressed his appreciation to the Board, State Engineer and others for their cooperation in the 1991 water year and noted that although it was a dry year there was harmony on the river distribution system and problems were discussed and worked out.

Commissioner Roberts called Deputy Commissioner Giles for his report of 1991 distribution of the Wasatch Division.

Deputy Commissioner Giles noted that this was his 32nd year as Deputy Commissioner on the Upper Provo River. That the 1991 water year was the fifth drought year in a row. That the Head of the River Reservoirs held 7055 ac. ft and Wall Lake did not fill.

Water in Heber Valley was delivered at 100% to July 5, 45 % to August 1st, 50% to September and 65% during the remaining irrigation season. The 14th class rights were shut off July 14th. Washington and South Kamas were short of water as Beaver & Shingle Creek, who used to lease it's 900 ac. ft. of Deer Creek storage water, has sold it to CUWCD for fish flows. Washington and South Kamas bought 500 ac. ft. each from SLMWD.

On May 23, 1991 there was 1728 c.f.s. measured at the Midway bridge, which was the maximum runoff.

There were some good rain storms in the early part of the irrigation season and some in the fall that helped

produce some good crops in Heber Valley with 2 crops of hay harvested.

Deputy Commissioner Giles than stated that he enjoyed his work as Deputy Commissioner on the Provo River in 1991 and thanked the people who worked with him, the water Users on the Provo River, the Provo River Distributing System, Commissioner Roberts, the State Engineer's office, the Provo River Water Users Association for its help in making equipment and operators available to build rock diversion dams along the upper Provo.

NOMINATION OF WATER COMMISSIONER AND DEPUTY COMMISSIONER FOR 1992

It was then noted that Commissioner Roberts was the only candidate for Commissioner.

Whereupon Director Ure moved that Stanley H. Roberts Jr. be recommended to the State Engineer as Provo River Commissioner for the ensuing year.

The motion was seconded by Director Knight and carried unanimously.

Commissioner Roberts than recommended Deputy Commissioner Giles to be the Deputy Commissioner for the ensuing year.

Whereupon Director Ure moved that Sherman Giles be nominated as the Deputy Commissioner to be recommended to the State Engineer as Deputy Commissioner for the ensuing year.

The motion was seconded by Director Knight, and carried, with Director Giles abstaining from voting.

Director Giles then recommended that Ernie Giles continue to be the trainee for the ensuing year. Whereupon Director Ure moved that Ernie Giles continue to be the trainee for the ensuing year. The motion was seconded by Director Knight, and carried unanimously.

Mr. Riley advised that he would so advise the State Engineer of the recommendations.

BUDGET AND ASSESSMENT, 1992

President Ure stated that the 4% applied to the salaries set forth in the 1991 budget as prepared for the Provo River Distribution System ("PRDS"), and again reiterated that the two accounts, i.e. the donations by CUWCD and PRWUCO and the assessments levied for the water users accounts as provided for in the Provo River Decree (case 2988) to which the CUWCD and PRWUCO donations are not a part of, should be separate accounts.

Secretary Gardner advised that he would prepare a 1992 budget for the PRDS and send a copy to the State Engineer.

The 1992 assessment was discussed and it was noted that in last years 1991 budget the assessment was \$59,000 to the water users and \$2,000 to come from the trust fund. It was

noted that the trust fund, on December 32, 1991, was \$4,889.39, the minimum the State Engineer recommended and there being no financial budget for 1992, whereupon Director Carpenter moved that the total assessment to be levied to the water users under the PRDS be set at \$62,000. Director Giles seconded the motion and it carried unanimously.

Mr. Devey stated that the CUWCD had budgeted a \$7,000 donation and Mr. Gillman advised that the PRWUCO would donate \$2,500 to compensate Commissioner Roberts for the extra work load caused by the implementation of the Welby-Jacob exchange and the Deer Creek Strawberry Exchange.

The 1992 budget and assessment of the PRDS, when prepared, will be attached hereto and made a part of these minutes.

ADJOURNMENT

There being no further business and upon motion duly made, seconded and carried, the meeting adjourned at 12:00 noon.

Date Approved: _____

Jack M. Gardner
Secretary